



5812

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

October 14, 1988

Paul B. Galvani
Ropes & Gray
225 Franklin Street
Boston, MA 02110

Re: New Bedford Harbor

Dear Mr. Galvani:

In response to your letter of September 27, 1988, I have now informed the Narragansett Laboratory that they are authorized to contact Dr. Brown directly. I would not have done so without express authorization from you.

As for chromatograms which we have not received, these include the following, all of which have been requested previously:

1. Chromatograms of analyses of water samples and any attendant standards and QA/QC analyses taken from the Acushnet River Estuary on December 22, 1986, promised by you in your opposition to US-11 (January 30, 1987) and described in Aerovox's RFAs #20354-20382;
2. The GC-MS chromatograms referred to in Aerovox's RFA #19291, 19301 and 19357 (we have received only chromatograms from GC-ECD analyses);
3. All chromatograms and results from the analyses of all standards, and of blanks, duplicates or other quality control analyses accompanying the analyses of the New Bedford Harbor samples, to be relied on by Aerovox, which were taken in the sampling described in RFAs 19287-289 and 20354-373; and documentation of the dates of the analyses of standards and quality control samples;
4. Copies of chromatograms and other documentation of the identification of congener peaks, including all analyses of standards, described in RFAs 19293-294.

All of the chromatograms listed in items 1-4 above were requested in Bill Brighton's letter to you of June 2, 1987. In addition, we have not yet received any of the other documents listed in that letter, or indeed, any response whatsoever.

In addition to the above documents, we also do not have:

5. The "computer printout giving peak assignments, weight percents, and note percents for all PCB peaks" which should have accompanied the Ancolor 1016 Standard in Aerovox's Attachment XIX-6 (identified in my September 12, 1988 letter).

Finally, as noted in US-11, Plaintiffs Motion to Compel, new production of chromatograms is of little use without the protocols used in the study for the sample collection, handling and analysis. We again request such documentation.

Yours sincerely,



Charles C. Bering
Assistant Regional Counsel

cc: Ellen Mahan
Nancy Precis
Frank Ciavattieri
All Defense Counsel